



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
March 21, 2012

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11 Attorneys for USACM Liquidating Trust

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13 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

14 In re:
15 USA COMMERCIAL MORTGAGE
16 COMPANY,
17 Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

Order Compelling Settlement Conference
Re Walls Family Trust Dated 12/10/97

18 Hearing Date: January 19, 2012
Hearing Time: 10:00 a.m.

20 On January 19, 2012, the Court held a status conference where it considered the
21 following matters related to claims by the Walls Family Trust Dated 12/10/97:

22 Objection of USACM Liquidating Trust to Proof of Claim No. 10725-
23 00398-3 in amount of \$200,000 by Walls Family Trust Dated 12/10/97 [DE
9145; and opposition filed at DE 9362];

24 Fourth Omnibus Objection of USACM Liquidating Trust to Proofs of Claim
25 Based Entirely Upon Investment in Fox Hills 216 Loan [DE 8615] to which
26 a response was deemed to have been filed by the Walls Family Trust Dated
12/10/97 based upon its communication directly with the USACM Trust;

1 Objection of USACM Liquidating Trust to Proof of Claim No. 10725-
 2 00398-2 in amount of \$200,000 by Walls Family Trust Dated 12/10/97 [DE
 3 9126], and response filed [DE 9362]; and

4 Tenth Omnibus Objection to Duplicate Proofs of Claim [DE 9060] to which
 5 a response was deemed to have been filed by the Walls Family Trust Dated
 6 12/10/97 based upon its communication directly with the USACM Trust;

7 At the scheduling conference, the Court was advised by counsel for the USACM
 8 Liquidating Trust (“USACM Trust”) that the USACM Trust and Joseph Walls, Trustee of
 9 the Walls Family Trust Dated 12/10/97, had met in person in Reno, NV to discuss the
 10 objections listed above, but were unable to agree on how to resolve them. The USACM
 11 Trust also indicated that the parties had agreed to submit to mediation before a United
 12 States bankruptcy judge in Reno, NV. Accordingly,

13 IT IS ORDERED that pursuant to the Alternative Dispute Resolution Agreement,
 14 Section V.A, Mandatory Mediation of Direct lender Unsecured Claims, the parties shall
 15 participate in a settlement conference no later than **June 31, 2012** before the Hon. Gregg
 16 W. Zive at the United States Bankruptcy Court, 300 Booth Street, Courtroom No 1, Reno,
 17 NV 89509. All counsel of record that will be participating in the trial of this case, all
 18 parties appearing pro se, if any, and all individual parties must be present at the settlement
 19 conference. Judge Zive will issue an order setting the date and time for the settlement
 20 conference and providing instructions for the parties to follow when submitting a
 21 confidential position statement in advance of the settlement conference. Any requested
 22 exception to the attendance requirements must be submitted to Judge Zive for approval in
 23 advance of the settlement conference.

24 IT IS FURTHER ORDERED that any party who fails to participate in a settlement
 25 conference on or before June 31, 2012 will be subject to sanction by this Court, including
 26 the possibility that the Court may sustain the USACM Trust’s objections to allowance of
 claims listed above.

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3 PREPARED AND RESPECTFULLY SUBMITTED BY:
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5 **LEWIS AND ROCA LLP**

6 By /s/ John Hinderaker (#018024)

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